

## REMARKS

*1. Status of claims*

After entry of the above amendment, claims 1-40 are pending.

*2. Support for amendment*

The amendment of the claims finds support at p. 6, lines 7-8 and 22-23. In light of MPEP 2163.05(III), although the phrase "about 40 mol% to 100 mol%" is not explicitly recited in the specification, Applicants respectfully submit this phrase is implicitly supported by the disclosure, for example, at p. 6, lines 7-9 and 22-23.

Specifically, the first passage teaches embodiments comprising polymers "consisting essentially of units having structure I." These polymers may comprise "at least about 95 mol%," and necessarily have an upper bound of 100 mol%. The second passage teaches embodiments comprising polymers featuring a "proportion of units having structure I to other units . . . from 40:60 mol% to about 99:1 mol%." Taken together, these passages teach polymers comprising about 40 mol% to 100 mol% tetrahydrofurfuryl acrylate units.

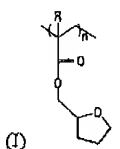
No new matter has been added by this amendment.

*3. Claim rejections under 35 U.S.C. §102*

Claims 1, 3-8, 11, 13-19, 21-23, 26, 27, 29-31, and 34-39 were rejected under 35 U.S.C. §102(b) as being anticipated by Katsumoto et al., U.S. Pat. No. 6,139,770 ("Katsumoto"). In light of the above amendment, Applicants respectfully traverse this rejection.

The Examiner indicated that claims 2, 9-10, 12, 20, 24-25, 28, 32-33, and 40 would be allowable if rewritten in independent form on the basis that Katsumoto failed to teach oxygen scavenging compositions "wherein tetrahydrofurfuryl acrylate is a substantial component" (Detailed Action, paragraph 4, bridging pp. 3-4). Applicants have amended claims to recite "an

oxygen scavenging composition, comprising: an oxygen scavenging polymer comprising from about 40 mol% to 100 mol% units having structure I:



wherein R is selected from the group consisting of -H and -C<sub>1</sub>-C<sub>6</sub> alkyls and n is an integer greater than or equal to 1." Therefore, Applicants respectfully request this rejection be withdrawn.

4. *Final remarks*

In conclusion, Applicants submit all pending claims are in condition for allowance. The Examiner is invited to contact the undersigned patent agent at (713) 934-4065 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C.  
CUSTOMER NO. 37774

December 10, 2003

Raymund F. Eich, Ph.D.  
Reg. No. 42,508  
10333 Richmond, Suite 1100  
Houston, Texas 77042  
(713) 934-4065  
(713) 934-7011 (fax)

AGENT FOR APPLICANTS